

Notice of Allowability

Application No.

10/810,481

Applicant(s)

MUELLER ET AL.

Examiner

Haissa Philogene

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 6/13/05.
2. ☒ The allowed claim(s) is/are 1-10, 11-135 now renumbered 1-134.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6/15/06; 2/6/06; 12/30/05; 7/14/05;
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

7/21/05; 6/13/05;
8/29/05; 12/9/05

Haissa Philogene
Primary Examiner
[Signature]

DETAILED ACTION

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance: The prior art fails to disclose an illumination apparatus and method thereof having, inter alia, at least one structure coupled to the first number of first light sources and the second number of second light sources so as to facilitate a mixing of the first radiation and the second radiation, wherein the apparatus is configured to provide ambient illumination including visible radiation in an environment to be occupied by an observer (claims 1 and 10); an essentially inflexible planar substrate on which all of the first light sources and all of the second light sources are mounted such that the apparatus is configured to provide ambient illumination including visible radiation in an environment to be occupied by an observer (claims 19 and 26); an essentially inflexible planar substrate on which all of first LEDS and all of second LEDS are mounted, and at least one controller coupled to the plurality of first LEDS and the plurality of second LEDS and configured to independently control at least a first intensity of the first radiation and a second intensity of the second radiation such that an overall perceivable color of visible radiation generated by the illumination apparatus is white (claims 77 and 93); at least one addressable controller coupled to the plurality of first LEDS and the plurality of second LEDS, configured to be associated with an alterable address and to independently control at least a first intensity of the first radiation and a second intensity of the second radiation so as to controllably vary an overall perceivable color of visible radiation generated by the illumination

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apparatus, and an address selection device configured to facilitate a selection of the alterable address associated with the at least one addressable controller (claim 105); at least one controller coupled to the first number of first light sources and the second number of second light sources and configured to independently control at least a first intensity of the first radiation and a second intensity of the second radiation so as to controllably vary an overall perceivable color of visible radiation generated by the illumination apparatus, wherein at least one controller is configured to independently control at least the first intensity of the first radiation and the second intensity of the second radiation using PWM technique (claims 108, 112, 114 and 116) or configured as an addressable controller capable of receiving at least one network signal including at least first lighting information relating to the overall perceivable color of visible radiation generated by the illumination apparatus (claims 109, 113, 115 and 117); at least one controller coupled to the first number of first light sources (LEDs) and the second number of second light sources (LEDs) and configured to control at least a first intensity of the first radiation and a second intensity of the second radiation such that an overall perceivable color of visible radiation generated by the illumination apparatus is white, wherein the at least one controller is configured to independently control at least a first intensity of the first radiation and a second intensity of the second radiation so as to controllably vary the overall perceivable color of visible radiation generated by the illumination apparatus (claims 118-135). The remaining claims 2-9, 12-18, 20-25, 27-76, 78-92, 94, 104, 106, 107,

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110 and 1 11 are allowed by virtue of their dependencies from the independent claims. Hence, the examiner has allowed claims 1-10 and 12-135.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Riddle et al., Patent No. 6,259,430.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haissa Philogene whose telephone number is (571) 272-1827. The examiner can normally be reached on 8:30 A.M.-6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MinSun Harvey can be reached on (571)272-1835. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

hp

Haissa Philogene
Primary Examiner
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